

Code of Conduct

Guidelines, Policy and Procedures for Fellows, employees, workers and participants in Academy activities



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Purpose and scope

The mission of the Australian Academy of Science (the Academy) is to provide independent, authoritative and influential scientific advice, to promote international scientific engagement, to build public awareness and understanding of science, and to champion, celebrate and support excellence in Australian science in accordance with its Charter.

This Code of Conduct and associated implementation plan, guidelines, policy and procedures have been developed to provide context and guidance to Academy Fellows, employees and others representing or otherwise involved with the Academy in its efforts to achieve this mission. It covers:

- the Academy's values
- expectations and requirements regarding conduct
- the policy principles on which the Code and its implementation are based, and
- guidelines and procedures for responding to breaches of the Code.

The Code and the associated guidelines, policy and procedures apply to:

- Academy Fellows and Corresponding Members (herein '**Fellows**')
- Academy staff (herein '**Employees**')
- Contractors, volunteers and interns (herein '**Workers**')
- Committee members, speakers, award recipients, representatives, delegates and others engaged in Academy activities (herein '**Participants**')

Values

The work of the Academy is underpinned by core values of:

- Respect
- Honesty and integrity
- Scientific and professional excellence
- Freedom of participation and intellectual pursuit
- Merit-based award and reward
- Equality of opportunity, regardless of age, race, nationality, gender, sexuality, religion, disability, ethnicity, marital status, political affiliation, or culture
- Freedom of expression, within the bounds of the law and the values of respect and honesty

Importantly, the Academy does not tolerate bullying and harassment and has a commitment to investigating and where warranted acting on reported or alleged instances of bullying and harassment in a prompt and decisive manner.

To support and uphold these values, the Academy strives to provide an inclusive workplace, meeting places and fora for scientific discussion, endeavour and other activities that are safe, free from discrimination and harassment, that encourage and promote intellectual freedom, freedom of expression and exchange of ideas. The Academy also acknowledges Australia's Traditional Owners, and pays respects to Elders past, present and emerging.

Code of conduct

Academy Fellows and others employed by, involved with or representing the Academy in any official capacity are expected to maintain a standard of conduct in their dealings with and on behalf of the Academy that is consistent with the Academy's values and which upholds the high-standing and reputation of the Academy in the community.

In other words, Academy Fellows, Employees, Workers and Participants in Academy activities are expected to treat others with courtesy and respect and to be mindful of and proactively uphold the Academy's values.

Upholding these values requires individuals to maintain an awareness of their own conduct and interaction with others when representing or participating in Academy activities and at other times.

It also requires an awareness of the conduct of others and, where such conduct is violating the Academy's values and impacting negatively on others, it requires a willingness to intervene directly or through alerting relevant officials in order to promptly address the situation.

The Academy's Code of Conduct includes particular expectations for different groups.

Academy Fellows

When representing the Academy, involved in Academy activities and at other times, Fellows are expected to:

- Abide by their obligations to serve the Academy according to its Charter and Bye-Laws.
- uphold the reputation and standing of the Academy within the community as an independent, authoritative body comprising a Fellowship of Australia's leading scientists;
- Respect requests for confidentiality of Academy documents and information.
- Support Academy employees and officers in the conduct of their duties.
- Uphold the reputation and standing of other Fellows of the Academy as scientists elected by their peers on the basis of outstanding contributions to their field or to science generally.
- Uphold and support the integrity of the Academy's processes, whether election of Fellows, development of policy advice, assessment of awards, engagement with industry, or nominations for Australian or international committees.
- Uphold and support the Academy's priorities; for example gender equity in STEM, and support for early- and mid-career researchers.
- Refrain from making public comment on behalf of the Academy unless duly authorised by a member of the Academy's Executive Committee of Council (EXCOM).
- Not represent themselves as experts outside their area of expertise.
- Declare any potential conflict of interest that may impact or be perceived to impact the fulfilment of duties.
- Respect the Academy's partners and stakeholders in government, industry and academia. This includes an expectation that Fellows will exercise judgement in moderating or refraining from sharing private views on particular individuals, organisations or political parties when these views may be connected with or reflect on the Academy.
- Be willing to use their standing as senior scientists and Fellows of the Academy to ensure that this Code is upheld by others; for example, by intervening in cases of bullying, discrimination, harassment or inappropriate language.

Academy Employees and Workers

In the course of fulfilling their duties, Academy Employees and Workers (contractors, volunteers and interns) are expected to:

- Maintain the highest standards of professionalism when dealing with co-workers, Academy Fellows, Participants and other stakeholders.
- Be part of and foster a culture of respect, dignity, collaboration and support for co-workers across the Academy.
- Abide by relevant Academy policies and procedures and respect the Academy's management structure and processes.
- Exercise due care and diligence when fulfilling duties and exercising powers, including making efficient use of resources, mitigating financial and reputational risks, and acting within the bounds of authority and delegation.
- Refrain from making public comment on behalf of the Academy unless authorised by the Chief Executive.
- Not accept any gift or benefit from any stakeholder or supplier that may influence or could be perceived by others to influence decision making.
- Declare to relevant supervisors the receipt of any other gift or benefit from an external supplier worth more than \$100, with details of the value and circumstances of the gift.
- Protect the confidentiality of the Academy's operations as well as any personal information acquired in the course of Academy duties.
- Declare any potential conflict of interest that may impact or be perceived to impact the fulfilment of duties.
- Refrain from communicating in such a way that reflects adversely on the Academy. This includes official communication within or outside of work hours in the form of verbal communication, email and social media.
- Raise promptly with the relevant Academy managers any concerns regarding possible or actual breaches of this Code by any individual.

Participants

Speakers, committee members, award recipients, official representatives and delegates involved in Academy activities who are not Fellows or Employees of the Academy are expected in the course of their engagement with Academy activities to:

- Uphold the Academy's values.
- Support and promote diversity, participation, inclusivity, intellectual freedom and freedom of expression.
- Treat all other participants in Academy activities with courtesy and respect.
- Raise promptly with Academy Employees, Fellows or others acting for the Academy in an official capacity, any concerns regarding possible or actual cases of inappropriate language or behaviour, or any other breach of this code.

Conduct policy

The guidelines, policy and procedures that support this Code of Conduct are intended to provide clear and specific guidance to Academy Fellows, Employees, Workers and Participants regarding how the values and expectations outlined in the Code should be upheld and how to handle actual or possible breaches of the Code.

With respect to interactions between Academy Employees, the Code is supported by an existing suite of policies and procedures that cover workplace health and safety, grievance handling and instances of actual or alleged workplace harassment discrimination, victimisation, vilification and bullying. These policies are available to all Employees on the Academy intranet and are provided to Employees as a part of the standard induction process. The documents are reviewed regularly and are consistent with the Academy's responsibilities as an employer under applicable Australian and ACT laws.

With respect to interactions within and between other groups (i.e., Fellows, Workers and Participants) and between these groups and Academy Employees, the principles on which this policy document are based are as follows:

- No tolerance of bullying and harassment and a commitment to investigating, and where warranted, acting on reported or alleged instances in a prompt and decisive manner.
- Upholding the Academy's moral duty-of-care and legal obligations to avoid discrimination, bullying and harassment, and to protect the health and safety of Employees and others involved in Academy activities as far as is reasonably practicable.
- Ensuring clear and accountable processes for incident reporting that respects the confidentiality of those reporting or alleging incidents, and protects their safety and wellbeing.
- Ensuring clear and transparent processes for resolving or investigating reports and allegations, which ensures fairness and due process for all parties involved, including the right of appeal.
- Upholding the reputation and standing of the Academy and Academy Fellows.
- Facilitating efficiency and effectiveness of Academy activities.

Duty-of-care

The Academy has a moral and legal responsibility to ensure that those it employs or otherwise engages in its activities are:

- Provided with a physically and psychologically safe environment in which to undertake these activities, as far as is reasonably practicable.
- Not exposed to discrimination, bullying and harassment.
- If discrimination, bullying and harassment do take place or are suspected or alleged to have taken place, prompt action is taken to review and where warranted address the issues.

Guidelines for handling breaches of the Code of Conduct

Because guidelines cannot cover every circumstance or eventuality and are unlikely to be on hand when urgently needed, the Academy's policy with respect to handling breaches of this Code is that those experiencing or observing such a breach should apply their own judgement in responding.

Individuals who respond to such situations in good-faith and using their best judgement will not be penalised or in any way disadvantaged for doing so.

However, guiding principles upon which such judgements might be based include:

1. **Ensuring own and others physical and psychological safety and wellbeing.** This may include leaving or removing an individual from a situation, seeking assistance from colleagues, supervisors, officials or more senior colleagues to do so, taking appropriate action to diffuse conflict or tension, or in some cases escalating a situation to relevant authorities.
2. **Intervening within the bounds of one's confidence and authority to prevent or stop inappropriate behaviour if it is or could negatively impact others.** For example, a Fellow, committee chair or senior staff member who witnesses an event participant, worker or committee member interacting with others in a way that is rude, confrontational, disrespectful or belittling should attempt to politely and respectfully intervene to diffuse the situation. This may involve politely challenging inappropriate behaviour, calling a break in proceedings, changing a topic of conversation or discussion, or intervening to divert one or more individuals away from a situation.
3. **Respectfully challenging individuals who are observed to be breaching this code; within the bounds of one's confidence and authority.** If inappropriate behaviour or breaches of this Code are observed in a situation that doesn't involve confrontation and/or does not appear to present a risk to the physical or emotional wellbeing of others, those who are confident in doing so should consider approaching the individual concerned in a polite and respectful way to draw their attention to the fact that the behaviour is inappropriate and may be breaching the Academy's Code of Conduct.
4. **Escalating to or seeking assistance from supervisors, more senior colleagues, officials or in some cases authorities to deal with observed or experienced breaches.**
5. **Documenting observed or experienced breaches to the extent possible, and reporting through the Academy's formal mechanisms.**

Reporting procedures

Individuals experiencing or observing inappropriate behaviour or breaches of this Code are encouraged to document their observations and report to relevant supervisors, officials or more senior colleagues, even if the breach appeared relatively minor or was not experienced in a negative or distressing manner. While such reporting lines may vary by context and availability, in general reports of breaches of this code should proceed as follows:

Academy Fellows should report breaches of the Code to the Academy President or to a member of the Academy Council or EXCOM.

Academy Employees and Workers should report to their direct supervisor or manager. If the report concerns their supervisor or they are not comfortable doing so for any other reason, they should report to a more senior line manager, or to the HR Manager. If they are not comfortable reporting to the HR Manager for any reason, the report should be made directly to the Chief Executive. With the exception of the Chief Executive, Academy Employees and Workers should refrain from reporting breaches of this Code directly to members of the Academy Council or other Fellows or Participants unless such action is required to deal with an immediate situation.

Participants in Academy Activities should report breaches of the Code to the Academy Employee, Committee Chair or to another relevant Academy official with whom they have been interacting on the specific activity.

Resolution procedures

On receipt of a report of a breach of the Code, Academy Employees or officials should notify the Academy's President and/or Chief Executive, **even if the individual making the report has requested that no action be taken** (where possible the individual making a report should be informed of the Academy representative's requirement to notify others). The President or the Chief Executive will then determine the appropriate steps for resolution. In general, the subject of the report should be notified that a report has been made (with the identity of the reporter kept confidential as necessary), and should be given the opportunity to respond to the report and to participate in a transparent resolution process. Options for resolution are as follows:

Informal resolution

Where possible, reports of alleged breaches of the code should be resolved informally and confidentially through any or all of the following:

- Discussion between a relevant Academy official (whether Employee or Fellow) and individual(s) concerned.
- Facilitated conciliation and mediation either by an un-involved Academy official (for example, the HR Manager, Chief Executive or member of EXCOM) or a professional mediator, as appropriate.
- Agreed resolution such as formal apology, commitment to change behaviour or withdrawal from an activity, as appropriate.
- Provision of support, such as pairing with a mentor, access to counselling through the Academy's Employee Assistance Program, or other professional support services, as warranted.

Formal investigation

Where informal resolution is insufficient to resolve a matter, where allegations are disputed, or where the observed or alleged breach of the Code is deemed by Academy officials to be sufficiently serious, formal investigation procedures may be instigated.

Such investigations may be conducted in different ways depending on the circumstances and nature of the alleged breach, as follows:

- **Alleged breaches by Academy Fellows** will generally be investigated by the Academy Complaints Committee comprising the President (or their delegate) and two council members, or by an independent investigator, as determined by the President in consultation with EXCOM and the Chief Executive.
- **Alleged breaches by Academy Employees and Workers** will generally be investigated by the HR Manager, by the Chief Executive or their delegate, or by an independent investigator, as determined by the Chief Executive or the President.
- **Alleged breaches by Participants in Academy activities** will generally be investigated either by Academy Employees (including but not limited to the HR Manager, other senior managers or the Chief Executive), by the Complaints Committee or by an independent investigator, as determined by the Chief Executive and the President.

When formal investigations are deemed necessary the Academy will aim to commence the investigation as soon as possible after the incident has occurred. The Academy also aims to conduct investigations in a fair and transparent manner that protects the identities and reputations of those involved as much as possible while the investigation is taking place.

Those responsible for conducting investigations will provide a written report with recommendations for action to the Academy decision-maker. In general, the subject(s) of the investigation and in some cases the instigator of a report or allegation will be given an opportunity to review the report and to provide a response that will be considered alongside the report by Academy officials.

Disciplinary action

If a finding is made that the Code has been breached, disciplinary action may be taken. The appropriate disciplinary action will be determined by the relevant Academy official (either the President in consultation with the Complaints Committee or the Chief Executive) on the basis of the outcomes of an informal resolution or the recommendations of a formal investigation. The appropriate disciplinary action will also depend on the status of the respondent. For example, the disciplinary options available for Employees and Workers will be different from the options available in respect of Fellows.

Disciplinary action, as appropriate, could include but is not limited to:

Fellows Only	Employees and Workers only	All other stakeholders
counselling	counselling	counselling
a formal warning or reprimand	a formal warning or reprimand	a formal warning or reprimand
	instigation of probationary arrangements	
performance management or equivalent	performance management or equivalent	performance management or equivalent
assignment of a mentor or supervisor to monitor or assist in addressing behaviour	assignment of a mentor or supervisor to monitor or assist in addressing behaviour	assignment of a mentor or supervisor to monitor or assist in addressing behaviour
suspension or expulsion from a particular group or activity	suspension or expulsion from a particular group or activity	suspension or expulsion from a particular group or activity
expulsion from the Academy	termination of employment/contract	no opportunity for future engagement

Internal appeal procedure

Both the instigators and the subjects of formal allegations of breaches of this Code may appeal the outcome of an investigation, informal resolution and any disciplinary action. Appeals will be assessed by the President in consultation with the Complaints Committee and/or the Chief Executive who will determine the appropriate course of action on the basis of information presented in the appeal. Action may include:

- declining the appeal
- reviewing all or part of a decision
- re-opening an investigation with the same or a different investigator
- presenting the information and decision making process for review to a committee of Council or independent reviewer
- ceasing further investigation or action

Review and authorisation

This Code of Conduct and associated Guidelines, Policy and Procedures has been approved by the Fellowship of the Australian Academy of Science as its formal statement of values, its expectations of conduct, and its guidelines and procedure for handling observed or alleged breaches of the Code.

The Code and associated Guidelines, Policy and Procedures as they pertain to Fellows and Participants will be reviewed by Council biennially or more often as required.

The Code and associated Guidelines, Policy and Procedures as they pertain to Employees and Workers are reviewed annually by Council.

Professor Andrew Holmes AC PresAA FRS FTSE
President



Date: 24 May 2018

Anna-Maria Arabia
Chief Executive



Date: 24 May 2018

Introduction

The revised Australian Academy of Science (Academy) Code of Conduct (Code) replaces the previous code which applied only to employees since 2013. A recent review of the code concluded that the Academy needed to redefine the appropriate professional and ethical behaviour of employees as well as of other important stakeholders namely Fellows, Workers and Participants (as defined in the Code).

The Code was endorsed by Council in February 2018 and a Consultation Draft distributed to Fellows of the Academy in March 2018 for their consideration. The Fellowship is invited to provide feedback and raise any questions or concerns over the fixed consultation period leading up to the AGM on 24 May 2018.

Over the consultation period it would be expected that Fellows adhere to the Code voluntarily.

At the AGM Fellows will be asked to approve the Code and agree that it will be a mandatory requirement for any individual participating in Academy activities thereafter.

As a Stakeholder of the Academy you will need to be familiar with the Code and understand how it applies to the way you conduct your work at and in association with the Academy.

1. Behavioural Expectations for each Stakeholder Group

The attached Code specifies particular behavioural expectations for each of three groups of Stakeholders: **Academy Fellows; Academy Employees and Workers** and **Participants**.

2. Reporting breaches of the Code.

The guidelines for handling breaches of the Code are outlined in the Code itself. If you are unsure whether behaviour may be a breach of the Code or how to handle inappropriate behaviour, we encourage you to discuss the matter with a trusted colleague or your manager, or the HR Manager on a confidential basis.

To be effective, a Code must be applied by the stakeholders bound by it. However, alleged breaches often take place in situations where it is not possible to refer to any guidelines relating to it. Hence the Code encourages the Academy's stakeholders to apply their judgement when observing a possible breach or experiencing a possible breach of the Code based on the guiding principles contained in the Code.

3. When and how should a breach of the Code of Conduct be reported?

The Code provides guidelines as to when and how breaches of the Code are to be reported based on the role of the reporter in the Academy.

4. What happens after a matter is reported?

The Academy strives to deal with reports of breaches of the code in the most appropriate manner in the circumstances. If it is considered necessary, an investigation may be conducted by the appropriate Academy representative(s) to determine if a breach has occurred and, if so, disciplinary action may be taken by an Academy official who has the authority to act in relation to the matter. The aim of any disciplinary action taken is to prevent a recurrence of the behaviour that led to the breach.

The resolution procedures relating to a reported breach of the Code are outline in the Code.

The actions specified in this implementation document as the **Enforcement Provisions** at Point 5 do not form part of the Code.

5. Enforcement Provisions

Academy Employees and Workers

Academy Employees are subject to the Academy's policies and procedures applying to their employment:

- a) The [Discipline Procedure](#) specifically requires a serious breach of the Code of Conduct to be treated as serious misconduct and the sanction of a final warning or dismissal is possible under that procedure
- b) The [Harassment and Bullying Policy](#) and the [Harassment and Bullying Procedure](#) prescribe in detail how bullying and harassment claims will be dealt with at the Academy.
- c) Other Academy policies and procedures which include sanctions and may be applicable to a Code of Conduct breach by **employees** are the [Sexual Harassment procedure](#) and the [AAS WHS Standards](#).
- d) **Workers** (Contractors, Volunteers and Interns) who breach the Code of Conduct are also subject to sanctions in the policies prescribed at a) and b) above.
- e) Other Academy policies that include enforcement provisions that may be applicable to a Code of Conduct breach are the Academy [Care of Ill and Injured Employees](#) and the Academy [Grievance Procedure](#).

Fellows

Fellows are not employees of the Academy and are therefore not subject to the policies and procedures governing the conduct of their work at the Academy that apply to employees. The expectations for their conduct under the Code at Section 1 of this document are the standards against which their conduct will be judged.

The mechanism for enforcing these standards is the Complaints Committee made up of 3 Council members, Chaired by the President or their delegate. Complaints or issues arising from the conduct of a Fellow are referred to the President as Chair of this Committee and dealt with as the committee sees fit at first instance with a right of appeal to the Chair.

If the matter is serious, the ultimate sanction is expulsion from the Academy. Bye-Law 17 of the [Documents of Governance](#) provides the mechanism for termination of membership and one of the circumstances in which Fellows may cease to be members of the Academy includes:

"if a resolution is passed by ballot of the members of the Council to the effect that in its opinion they have been guilty of conduct detrimental to the Academy."

The Bye-Law outlines a process governed by natural justice and procedural fairness in relation to expulsions namely that the Fellow is informed of the conduct complained of and given a reasonable opportunity to show cause against the proposed expulsion.

Participants

Participants will report breaches of the Code to an Academy Employee, Committee Chair or to another relevant Academy official with whom they have been interacting on the specific activity. These officials will apply the applicable enforcement provision.

6. Support provided to Fellows, Employees and Workers to avoid breaches of the Code.

As part of this implementation plan the Academy provides the following support to assist stakeholders to comply with the Code. It is not a condition of engagement at the Academy to accept this support but the Academy recommends Fellows, Employees and Workers who are unsure about how to meet the expectations under the Code to conduct a self-evaluation of their level of understanding of the content of the Code.

- a) The Diversity and Discrimination training module on the Fair Work Ombudsman (FWO) website is a good way to assess your level of understanding of how to ensure you meet your behavioural expectations under the Code. You may access the module via this link: [Diversity and Discrimination](#).
- b) Read the following scenarios drawn from the Codes of Conduct of Tertiary Educational Organisations in the ACT which describe when a particular behaviour has met the threshold of a breach of their Codes of Conduct. What would you do if you witnessed or were a recipient of such behaviour at the Academy?
 - An Academy staff member attends a work-related conference where staff from other organisations are also present. The Academy staff member has concerns regarding the Stakeholders and their communication with other participating Academy staff. It is expected no staff member will disparage the Academy to others at the conference or on Social Media, but will uphold the good name and reputation of the Academy.
 - A staff member has been supplied with Academy equipment for the purpose of enabling them to complete their duties. The staff member also studies part-time and wishes to use this Academy equipment on the weekend to complete a presentation. It is expected that the property will not be removed without authorisation from the appropriate delegate/supervisor.
 - A Stakeholder asks another Stakeholder for advice on a certain issue, but is dissatisfied with the answer given. It is expected that both Stakeholders will continue to be polite and courteous to each other whilst seeking to resolve the matter.
 - A supervisor receives details about a course. It is expected that the supervisor will not deny opportunities unreasonably for training and development to any staff member and that in making the decision, the supervisor will consider the needs of all staff members within the work area.
 - A Stakeholder takes a phone message for a fellow Stakeholder. The two Stakeholders do not have an amicable relationship. It is expected that the Stakeholder who takes the message will pass it on and not deliberately withhold information in order to affect the other stakeholder's work negatively.
 - A staff member has been working on a group project and is the group representative/leader. The supervisor is particularly impressed with a certain aspect of the project and calls the staff member in to tell them that. The staff member did not contribute to this aspect of the project. It is expected that the staff member will not take credit for the work done by another staff member.

- A staff member has a financial interest in a company from which the Academy purchases equipment or services. The staff member has an obligation to disclose this relationship if they are in a position to influence contracts for business between that company and the Academy.
 - A Stakeholder is on a selection panel for a newly created position and has a personal relationship with one of the candidates. It is expected that the Stakeholder will disclose any personal relationships with a current or prospective staff member that may give rise to a conflict of interest.
 - A Stakeholder regularly has contact with a supplier of goods to the Academy as part of their responsibilities. On one occasion, the supplier offers the Stakeholder tickets to the final of a major sporting event. It is expected the Stakeholder will discuss this offer with their supervisor, as the receipt of the tickets may be perceived as an inducement to act in a certain way. This is particularly the case if negotiations for tender or contract are in progress in this area.
 - Two Stakeholders working on an Academy project are known to have differing intellectual viewpoints on certain issues. It is expected that the Stakeholders will not personally criticize each other in meetings or via social media.
 - In the course of their duties, a staff member is entrusted with personal information. The staff member concerned has a duty to maintain the confidentiality of personal and official information. All staff have the right to expect confidentiality and privacy with respect to personal information.
 - A Stakeholder at an Academy run event appears to be intoxicated. It is expected that other Stakeholders also attending the event will advise the Stakeholder of the effect their condition may have on other attendees.
 - A Stakeholder has made a staff member feel uncomfortable by closing the door to their office and conversing with them in a manner they did not believe was appropriate to the purpose of their visit. All staff have the right to experience a physically and psychologically safe work environment.
 - A staff member coaches a sporting team in their spare time. Each member of the team is provided with a copy of the season draw and rule book. It is expected that the staff member will not use the work photocopier in order to make multiple copies of the draw and rule book.
- c) To provide guidance, the legal definition of Sexual Harassment as defined by the Australian Human Rights Commission is linked [here](#).